

AO 451 (Rev. 01/09) Clerk's Certification of a Judgment to be Registered in Another District

**FILED UNITED STATES DISTRICT COURT**

for the

District of New Jersey

2013 NOV 29 P 2:36

**WEISS**  
Plaintiff

v.

**KBR FUND, L.P. et al**

Defendant

**CV 13 80 274 MISC**

Civil Action No. 13-cv-03552-WHW-CLW

**WHA**

**CLERK'S CERTIFICATION OF A JUDGMENT TO BE REGISTERED IN ANOTHER DISTRICT**

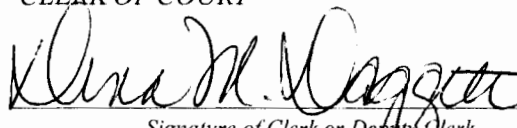
I certify that the attached judgment is a copy of a judgment entered by this court on (date) 10/10/2013.

I also certify that, as appears from this court's records, no motion listed in Fed. R. App. P. 4(a)(4)(A) is pending before this court and that no appeal has been filed or, if one was filed, that it is no longer pending.

Date: 11/14/2013

**WILLIAM T. WALSH**

CLERK OF COURT

  
Signature of Clerk or Deputy Clerk

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

KEVIN M. WEISS,

Plaintiff,

V.

KBR FUND, L.P., a Delaware limited partnership, KBR SAG HARBOR, LLC, a Delaware limited liability company, KBR MANAGEMENT, LLC, a Delaware limited liability company, and VINAY KUMAR, an individual,

Defendants.

## ORDER

Civ. No. 13-cv-3552 (WHW)

**Walls, Senior District Judge**

On or about December 19, 2008, Plaintiff Kevin M. Weiss (“Plaintiff”) loaned \$150,000 to Defendant KBR Sag Harbor at an interest rate of 20% per annum, to be paid monthly, with the other Defendants serving as guarantors. Note, Pl.’s Aff. Ex. 1 at 1 (ECF No. 9-2). On June 7, 2013, Plaintiff sued Defendants for breach of that agreement, ECF No. 1, and on September 16, 2013, the Clerk of the Court entered default against Defendants. On October 7, 2013, Plaintiff moved for Default Judgment. ECF No. 9. He calculated that between December 19, 2008 and October 4, 2013—a period of 4 years and 9.5 months—Defendants accumulated interest of \$146,250. Pl.’s Aff. ¶ 5. Because Defendants had made payments of \$83,389.01, he calculated Defendants’ unpaid interest at \$62,760.99. *Id.* ¶ 6. Adding this amount to the unpaid principal, Plaintiff requested judgment of \$212,760.99. ECF No. 9. The Clerk of the Court entered judgment in this amount on October 10, 2013. ECF No. 10.

The amount of interest accumulating over 4 years and 9.5 months is not \$146,250, but \$143,750. As a result, the relevant amount of unpaid prejudgment interest is not \$62,760.99, but \$60,360.99, so the total owed is not \$212,760.99, but \$210,360.99. Under the authority of Federal Rule of Civil Procedure 60(a) to correct a clerical mistake and for good cause shown,

It is, on this 7th day of November, 2013:

Ordered that the October 10 entry of default is hereby amended to reflect the correct unpaid prejudgment interest amount of \$60,360.99, and correct total judgment of \$210,360.99, and

Ordered that this amendment does not change the effective date of the judgment, which shall remain October 10, 2013 for all purposes.

s/ William H. Walls

United States Senior District Judge

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of the original on file in my office.

ATTEST  
WILLIAM T. WALSH, Clerk  
United States District Court  
District of New Jersey

By   
Deputy Clerk